

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

LIBOR-Based Financial Instruments
Antitrust Litigation

USDC SDNY
DOCUMENT
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FILED: 7/10/19
ORDER

11 MD 2262 (NRB)

This Document Applies to:

Federal Home Loan Mortgage Corporation
v. Bank of America Corporation, et al.

13 Civ. 3952

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

The Court has reviewed the Federal Home Loan Mortgage Corporation's ("Freddie Mac") letter, see ECF No. 2891, seeking leave to file a motion for clarification of our ruling in In re LIBOR-Based Fin. Instruments Antitrust Litig., 11-md-2262 (NRB), 2019 WL 1331830 (S.D.N.Y. Mar. 25, 2019) ("LIBOR VIII"), and defendants' response to Freddie Mac's letter, see ECF No. 2896.

Freddie Mac's request is denied for several reasons. First, the request is untimely. We issued the LIBOR VIII decision on March 25, 2019, and Freddie Mac had until April 8, 2019 to move for reconsideration under this District's Local Civil Rule 6.3. Second, there is no ambiguity requiring clarification. This Court was clear that the Second Circuit's statute of limitations rulings in Charles Schwab Corp. v. Bank of America Corp., 883 F.3d 68, 96-98 (2d Cir. 2018), only applied to claims brought under California law. See LIBOR VIII, 2019 WL 1331830, at *18 n.49. Third, LIBOR VIII granted Freddie Mac leave to add certain allegations related

solely to personal jurisdiction, and the decision did not explicitly or implicitly revive Freddie Mac's fraud claims that we had previously found to be time-barred.

SO ORDERED.

Dated: New York, New York
July 10, 2019


Naomi Reice Buchwald
NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE